

As detailed in the Motion and earlier memorandum, plaintiff's defamation claim also fails because: (i) the statement is an opinion; and (ii) if not an expression of opinion, it was a true statement.

**Conclusion**

Since there is no *genuine* issue as to any *material* fact on plaintiff's two remaining claims, the defendants are entitled to summary judgment and the Magistrate Judge's Report and Recommendation should be affirmed.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The foregoing was delivered, via regular U. S. Mail, postage prepaid, to Shirley A. McClure, 1290 Villa Parke, Amelia, Ohio 45102, this 9<sup>th</sup> day of October, 2003.

/s Michael A. Roberts